

MEETING MINUTES
BOARD OF NURSING HOME ADMINISTRATION
October 13, 2015

These minutes were
approved by the Board
on January 26, 2016.

1. ROLL CALL

The meeting of the Board of Nursing Home Administration was called to order by Kevin Moriarty, Chair, at 1:10 p.m., at the Nebraska State Office Building, Lower Level Room D, Lincoln, Nebraska. Copies of the agenda were mailed to the Board Members and other interested parties in accordance with the Open Meetings Law. The following members answered roll call:

Members Present:

Amy Fish	-	Member
Renea Gernant	-	Member
Karen Jones	-	Member
Kevin Moriarty	-	Chair
C. Dean Schmid	-	Member
Alexander Willford	-	Member

Members Absent:

Scott Bahe	-	Member
Kathryn Hajj	-	Member (arrived 1:22 p.m.)
Debra Sutton	-	Secretary (arrived 1:22 p.m.)

Others Present:

Kris Chiles	-	Program Manager, Licensure Unit
Ed Vierk	-	Assistant Attorney General
1 public person		

2. ADOPTION OF AGENDA

Motion: Fish moved, seconded by Willford, to adopt the agenda. A roll call vote was taken. Voting aye: Fish, Gernant, Jones, Moriarty, Schmid, Willford (6). Voting nay: none (0). Absent: Bahe, Hajj, Sutton (3). Motion Carried.

3. APPROVAL OF MINUTES (7-14-15)

Chiles noted that the headings on the pages following the first page had the incorrect date.

Motion: Willford moved, seconded by Gernant, to approve the 7-14-15 meeting minutes as corrected. A roll call vote was taken. Voting aye: Fish, Gernant, Jones, Moriarty, Schmid, Willford (6). Voting nay: none (0). Absent: Bahe, Hajj, Sutton (3). Abstain: None (0). Motion Carried.

4. INVESTIGATIVE REPORTS & OTHER CONFIDENTIAL INFORMATION - CLOSED SESSION

MOTION: Schmid moved, seconded by Jones, to enter into closed session at 1:14 p.m. to hear discussions of investigative reports, and for the prevention of needless injury to the reputation of the individuals. A roll call vote was taken. Voting aye: Fish, Gernant, Jones, Moriarty, Schmid, Willford (6). Voting Nay: None (0). Absent: Bahe, Hajj, Sutton (3). Motion carried.

1:14 p.m.	-	Public person departed meeting
1:22 p.m.	-	Hajj and Sutton entered meeting

MOTION: Fish moved, seconded by Jones, to enter into open session at 1:40 p.m. A roll call vote was taken. Voting aye: Fish, Gernant, Hajj, Jones, Moriarty, Schmid, Sutton, Willford (8). Voting Nay: None. (0). Absent: Bahe (1). Motion carried.

1:40 p.m.	-	Public person entered meeting
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5. APPLICATION REVIEW AND RECOMMENDATION – OPEN SESSION

a. Convictions / Practice Prior to Application / Education / Reinstatements

Katelyn Hale – Mentoring Trainee

MOTION: Schmid moved, seconded by Willford, to recommend approval with 3 year probation to include the standard terms and conditions and the following: body fluid screens, abstain from alcohol/drugs, employer notice. A roll call vote was taken. Voting aye: Fish, Gernant, Hajj, Jones, Moriarty, Schmid, Sutton, Willford (8). Voting nay: None (0). Absent: Bahe (1). Abstain: None (0). Motion carried.

Krista Dittus - AIT

MOTION: Willford moved, seconded by Gernant, to recommend approval of the AIT. A roll call vote was taken. Voting aye: Fish, Gernant, Hajj, Jones, Moriarty, Schmid, Sutton, Willford (8). Voting nay: None (0). Absent: Bahe (1). Abstain: None (0). Motion carried.

6. UNFINISHED BUSINESS

a. Education Committee Report and Preceptor Survey

Fish reviewed that the Committee had met with stakeholders in June and that the majority of the discussion regarding the proposed legislative bill at the hearing was on the AIT program and preceptors. The Committee discussed that a questionnaire would be developed for preceptors and then perhaps a preceptor summit would be held. Fish developed the survey which the Board reviewed and approved. The Board agreed the survey should be given to the stakeholders for review and then it would be mailed to the preceptors. Fish will develop a cover letter to go out with the survey.

The public person asked why the questions on the survey asked for information in the last 3 years and suggested 5 years instead. Fish responded that the Committee had used 3 years but there was no concrete reason. The Board agreed to change it to 5 years.

1:45 p.m.	-	Vierk departed meeting
1:47 p.m.	-	Vierk entered meeting
1:48 p.m.	-	Darrel Klein, Department attorney, entered meeting

b. Other

There was no information to report. Chiles introduced the Board to Darrel Klein, Department attorney.

7. NEW BUSINESS

a. Continuing Education Criteria – 106-013.02C: “Program must be open to all Nursing Home Administrators licensed by Nebraska who meet the pre-requisites for the program.” Board Postion: What is considered as ‘pre-requisites.’

Willford stated there are trainings that nursing home administrators (NHA) might want to attend and they are not always open to all NHAs. He commented he was aware that some other states have deviated from this requirement. It was discussed that this was referring to a training that was presented for an agency's staff only that it would not be accepted for NHA CEUs as the program was not open to all NHAs. Klein commented that some programs allow for in-house presentations and put a limit on it. He also said a prerequisite could be registering and paying the fee. Sutton commented that a pre-requisite could be the requirement of having completed an entry level training before being allowed to take the more advanced level. The public person commented that NAB requires a program to be open to all.

Gernant asked what was the down side of getting employer provided training only. Sutton responded that the quality of the presenters the employer brings in may or may not be good. Hajj commented that Mayo trains their own staff. She stated she attends trainings that are not always in her main area of practice to acquire a better understanding. She commented that CEUs are important but also can be expensive. The Board agreed to think about this further and it will be placed on the January agenda.

b. Reports/Updates

- **National Association of Long Term Care Administrator Boards (NAB)**

Fish stated the next meeting would be in early November in Naples, Florida. She will be working on the higher tiered exam as one activity.

- **LeadingAge Nebraska**

Sutton stated the fall conference was being held the next day.

- **Nebraska Health Care Association**

Fish reported that CMS was proposing stringent changes and the extended deadline for comments would be the next day. Sutton reported that both LeadingAge Nebraska and the Nebraska Health Care Association opposed the proposed changes.

- **Disciplinary and Non-Disciplinary Actions Taken**

Chiles reported there had been no disciplinary actions since the last quarter.

- **Statistics: AIT/Mentoring/ Examination / Licensure / Administrative Penalties**

Chiles reported that since January, 13 passed and 17 failed the examination (some failures were repeat failures of the same person)

Chiles reported the following statistics:

NHA	403
Preceptor	81
Mentoring	4
AIT	2
Provisional NHA	18
Oversee more than 1 facility	18

Moriarty commented that there seemed to be ongoing concern about overseeing more than 1 facility. Chiles responded that when the draft regulations were presented to the Board of Health, they were concerned and the Department agreed to review it in the future. For the first couple years after the regulations were passed Eve Lewis, from facility licensing, came to the Board meetings and there was no data to show overseeing more than 1 facility was a negative versus overseeing just 1 facility. Moriarty commented that CMS used a 5 star system which affects nursing homes such as whether they can be insured.

Fish, Sutton and Willford expressed concern about a person being able to repeatedly apply for a provisional nursing home administrator license. Chiles commented that the provisional license was talked about at the stakeholder meeting. Chiles will review data for the last 3 years on overseeing more than 1 facility and will randomly review those who have held a provisional license to determine how long.

c. Meeting Dates for 2016 (Suggested: 1-12, 4-12, 7-12, 10-11)

The Board agree on the following meeting dates for 2016: 1-26, 4-12, 7-12, 10-11.

d. Other

There was no other information.

8. ADJOURNMENT

Moriarty, Chair, declared the meeting adjourned at 2:55 p.m.

Respectfully submitted,

Debra L. Sutton, Secretary
Board of Nursing Home Administration

Summarized by: Nancy Herdman, Health Licensing Coordinator